

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

v.

DISTRICT COUNCIL OF NEW YORK CITY :  
AND VICINITY OF THE UNITED :  
BROTHERHOOD OF CARPENTERS :  
AND JOINERS OF AMERICA, et al., :

Defendants.  
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:  
: 90 Civ. 5722 (CSH)

**MEMORANDUM AND ORDER**

HAIGHT, SENIOR DISTRICT JUDGE:

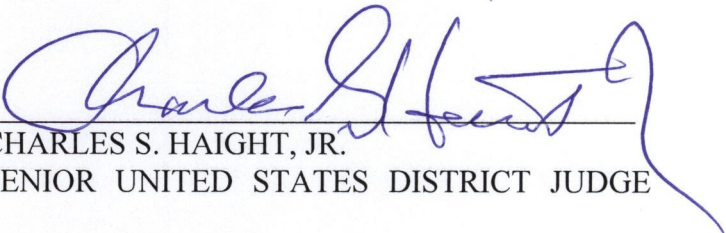
Counsel for the Government, the District Council, and the Benefit Funds have jointly endorsed, filed, and presented to the Court for approval a Stipulation and Order Regarding Appointment of a Review Officer. The Stipulation asserts the necessity of “the presence and activity of an independent court-appointed officer granted powers beyond those provided to the Independent Investigator in the December 2002 Stipulation and Order and the August 2005 Order” of this Court. Final “Whereas” Paragraph, p. 3. Those expanded powers are set forth in the body of the Stipulation and would be exercised by a “Review Officer,” identified in the Stipulation as Dennis M. Walsh, Esq., an attorney and member of the firm of Fitzmaurice & Walsh, LLP, in White Plains, N.Y.

This Stipulation and Order, if endorsed by the Court, would upon its entry eliminate the office of Independent Investigator, as established by the Court’s prior orders. That office is currently held by Unitel, Inc., of which William P. Callahan, Esq. is the president. Unitel would continue to hold office for a transition period of 30 days after the entry of the Order.

Assuming without deciding that Unitel has standing to be heard on the proposed Stipulation and Order, it may if so advised file and serve upon counsel of record written submissions on or before May 11, 2010. Counsel for the proponents of the Stipulation and Order may if so advised file and serve reply papers on or before noon on May 18, 2010. Courtesy copies must be sent as e-mail attachments or faxed to Chambers. The Court will conduct a hearing into whether the proposed Stipulation and Order should be approved at 2:30 p.m. on May 20, 2010, at 500 Pearl Street, in a courtroom to be designated at a later date.

It is SO ORDERED.

Dated: New Haven, Connecticut  
May 4, 2010

  
CHARLES S. HAIGHT, JR.  
SENIOR UNITED STATES DISTRICT JUDGE